

# **FISCAL NOTE**

## **HB 3373**

April 13, 1998

**SUMMARY OF BILL:** Redefines rape of a child to provide that sexual penetration of a child less than 13 years of age by another minor who is less than four years older than the subject child will not be rape of a child, if the act is consensual. Under current law, such act would be rape of a child if the victim is less than 13 years of age. The bill also provides that sexual experimentation by children who are 12 years of age or younger would be classified as prohibited conduct for which treatment of the parties is required under the supervision of the juvenile court.

### **ESTIMATED FISCAL IMPACT:**

#### **Decrease State Expenditures - Net Impact - Not Significant**

Assumes one juvenile, every five years, will not be prosecuted as a juvenile or as an adult for rape of a child due to the limitation of the age difference. Also, assumes an increase in treatment cost for the Department of Children's Services for children engaging in sexual experimentation. Today, such behavior may result in the filing of an unruly or dependent and neglect action in juvenile court.

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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